

### REMARKS

Claims 1-8, 10-36, 41, 42, and 44-51 are pending, with claims 1, 25, and 44 being independent. Claims 9, 37-40, and 43 were previously cancelled. No new subject matter has been introduced.

#### Previously Indicated Allowability

The previous Office Action of November 1, 2007 indicated that claims 9-12 allowable. Then pending claim 9 recited "wherein associating location information includes determining a location for a sensor." Applicant's response of March 3, 2008 incorporated this subject matter.

Although the subsequent Office Action withdrew the indication of allowability, applicant notes that this feature and related, more specific, features of the independent claims continues to differentiate the references of record. In particular, as the references in the November 1, 2007 did not describe or suggest determining a location for the sensor, the presently relied upon reference similarly does not describe or suggest the currently recited determining of the locations of the sensors or the use of the determined locations with respect to the map. These distinctions are described in more detail below.

Accordingly, applicant requests the Examiner to again consider the allowability of claim features concerning the determined location of the sensors and use thereof.

#### Claim Rejections - 35 U.S.C. § 102

Claims 1-3, 5, 17-18, 21, 23-25, 30-31, 34, 36, and 44-49 have been rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 7,187,402 (Novais). Applicant notes that the filing date of the present application is December 31, 2003, while the date of the patent grant of Novais is January 22, 2008 and the date of the published application of Novais (i.e., U.S. Patent Publication No. 2003/0023452) is January 30, 2003. As such, neither Novais' issued patent nor its published application is available as "prior" art with respect to 35 U.S.C. § 102(b). Without agreeing to the propriety of such a rejection, applicant assumes the Office Action intended to assert Novais under 35 U.S.C. § 102(e).

Applicant respectfully requests reconsideration and withdrawal of this rejection because Novais does not describe or suggest all of the features of independent claims 1, 25, and 44.

For example, with respect to independent claim 1, Novais does not describe or suggest “determining second locations for the sensors in the sensor array at a second time to provide second location information, the second locations being different from the first locations, and the second time being after the first time” or “enabling the user to perceive the second location of one or more of the sensors in the sensor array on the perceived map.”

With the system of Novais, “an individual who is planning on attending or who is at an entertainment event, such as for example a basketball game, can prepay and/or select a photopackage or photographic product which includes images of the basketball players in action during the game; as well as images of the individual and his/her family or friends at their seats enjoying the game.” *See* Novais, column 3, lines 19-26. More specifically, a customer 22 in Novais can use a kiosk 17 to order photographs to be taken of them during a sporting event. *See* Novais, Fig. 3 and column 3, lines 54-60. The photographs can be taken using one or more cameras 10 installed at the venue. *See* Novais, Fig. 1. From the taken photographs, a composite photograph 20 with a picture of the customer 22 can be generated, such as that shown by Fig. 2B:

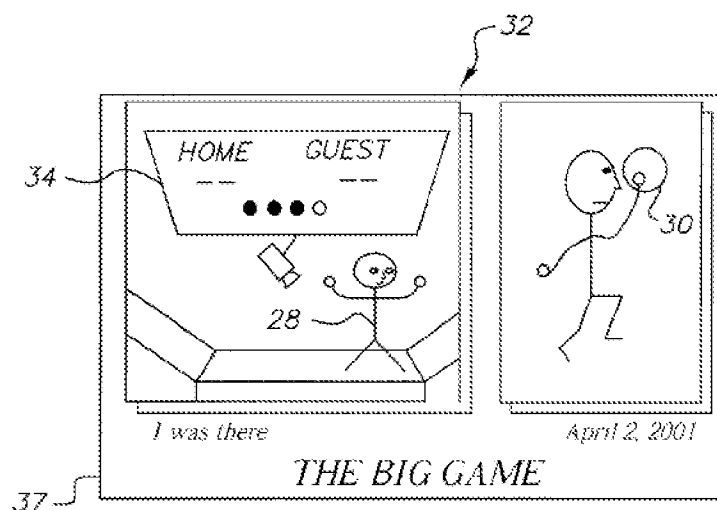


FIG. 2B

In rejecting “determining second locations for the sensors in the sensor array at a second time to provide second location information, the second locations being different from the first locations, and the second time being after the first time,” as recited, the Office Action states “i.e., a customer can choose to obtain a composite photograph 20 which includes a picture of a participant or participants 24 at the entertainment event, Fig. 2A.” *See* Office Action, page 3. Applicant notes “a customer can choose to obtain a composite photograph 20 which includes a picture of a participant or participants 24 at the entertainment event” is not recited claim language and regardless of whether Novais describes this language, Novais does not describe or suggest the recited determining of second locations for the sensors in the sensor array at a second time to provide second location information, the second locations being different from the first locations, and the second time being after the first time.

Novais states that its “cameras 10 which are set up throughout arena or stadium 12 could include zoom lenses, and can be networked to imaging system or controller 15.” *See* Novais, column 3, lines 41-44. Nowhere does Novais describe or suggest that the cameras 10 move from one location to another with time. Rather, Novais’ cameras 10 at most capture images of different locations. Without the cameras 10 changing locations, the system in Novais does not concern determining a second location of its camera 10 as such a second location does not exist. Therefore, Novais does not describe or suggest “determining second locations for the sensors in the sensor array at a second time to provide second location information, the second locations being different from the first locations, and the second time being after the first time,” as recited by independent claim 1 (emphasis added).

In rejecting “enabling the user to perceive the second location of one or more of the sensors in the sensor array on the perceived map,” as recited, the Office Action states “the customer can be given the option to choose a preference and the images can be focused on the customer preferences.” *See* Office Action, page 4. Applicant notes “the customer can be given the option to choose a preference and the images can be focused on the customer preferences” is not recited claim language and regardless of whether Novais describes this language, Novais

does not describe or suggest the recited enabling of the user to perceive the second location of one or more of the sensors in the sensor array on the perceived map.

While Novais enables a customer 22 to choose characteristics of a composite photograph 20, nowhere is the customer enabled to perceive a map with the second locations of sensors in a sensor array. Indeed, no map of sensor location in Novais is presented to a customer 22. Moreover, as described above, Novais' cameras 10 do not move from one location to another with time. Without the cameras 10 of Novais changing locations, no such "second locations" exist for placement on a map. Therefore, Novais also does not describe or suggest "enabling the user to perceive the second location of one or more of the sensors in the sensor array on the perceived map," as recited by independent claim 1 (emphasis added).

Accordingly, for at least these reasons, applicant respectfully requests reconsideration and withdrawal of the rejection of independent claims 1 and its dependent claims.

Independent claim 25 recites features similar to those discussed above in connection with independent claim 1 and does so in the context of a tangible computer readable medium. Accordingly, at least for reasons similar to those discussed above in connection with independent claim 1, applicant respectfully requests reconsideration and withdrawal of the rejection of amended independent claim 25 and its dependent claims.

Independent claim 44 recites "determining, at a second time, a second location of the first sensor and a second location of the second sensor, where the second time is after the first time, the first sensor's second location is different from the first sensor's first location, and the second sensor's second location is different from the second sensor's first location" and "enabling display, to the user, of the first sensor's second location and the second sensor's second location on the map related to the entertainment event or venue."

As noted above, Novais' cameras 10 do not move from one location to another with time. Without the cameras 10 changing locations, no such "second location of the first sensor" and "second location of the second sensor" can be determined or displayed on a map. Accordingly, for at least these reasons, applicant respectfully requests reconsideration and withdrawal of the rejection of independent claims 44 and its dependent claims.

### Claim Rejections Under 35 U.S.C. § 103

Claims 4, 10-12, 41, and 42 have been rejected under 35 U.S.C. § 103(a) over Novais and U.S. Patent Publication No. 2005/0093976 (Valleriano). Claims 14-16, 19, 20, 27-29 32, and 33 have been rejected under 35 U.S.C. § 103(a) over Novais and U.S. Patent No. 5,598,208 (McClintock). Claims 8, 13, 26 50, and 51 have been rejected under 35 U.S.C. § 103(a) over Novais and U.S. Patent Publication No. 2002/0047895 (Bernardo). Claims 6, 22, and 35 have been rejected under 35 U.S.C. § 103(a) over Novais and U.S. Patent No. 5,495,576 (Ritchey). Claim 7 has been rejected under 35 U.S.C. § 103(a) over Novais, Ritchey, and Bernardo.

Each of claims 4, 6-8, 10-16, 19, 20, 22, 26-29, 32, 33, 35, 41, 42, 50, and 51 are dependent upon independent claims 1, 25, or 44, respectively. None of Valleriano, McClintock, Bernardo, or Ritchey cure the failure of Novais in describing or suggesting the features of independent claims 1, 25, and 44. Therefore, for at least the reasons described above, applicant requests reconsideration and withdrawal of the rejection of dependent claims 4, 6-8, 10-16, 19, 20, 22, 26-29, 32, 33, 35, 41, 42, 50, and 51.

### Conclusion

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fees are believed due at this time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No.

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Serial No. : 10/748,123  
Filed : December 31, 2003  
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0421001 / Communications 92

06-1050. The Director also is hereby authorized to apply any additional fees or credits to  
Deposit Account No. 06-1050.

Respectfully submitted,

Date: July 21, 2009

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